		U.S. DISTRICT COURT BISTRICT OF NEBRASI	Ţ
IN THE UNITED	STAT	ES DISTRICT COURT	Α
FOR THE DI	STRIC	TES DISTRICT COURT TES DISTRICT COURT TOF NEBRASKA US JUN 12 PM 12: 49	}
UNITED STATES OF AMERICA,	`	OFFICE OF THE CLER	
UNITED STATES OF AMERICA,	,	SOCIATION THE CLER	K
)	8:06 CV 232	-
Plaintiff,)		
)	ANSWER AND CLAIM OF	
vs.)	ERIC ROGERS	
)		
2001 GMC YUKON,)		
VIN 1GKEK13TO1J138777,)		
)		
Defendant.)		

COMES NOW Eric Rogers and for Answer to the Verified Complaint For Forfeiture filed herein:

- 1. Admits paragraphs 1,2,3,4,5, and 6 of the Verified Complaint.
- 2. Alleges that he lacks sufficient knowledge of the truth of the facts alleged in paragraph 7 of the Verified Complaint to admit same, and therefore denies paragraph 7.
- 3. Denies paragraph 8 of the Verified Complaint.

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CLAIM OF ERIC ROGERS



COMES NOW Eric Rogers and hereby makes claim to the vehicle described in the above caption, the same having been seized on August 16, 2005, in Sarpy County, Nebraska, allegedly from one Jose Cordero, and states as follows:

1. The vehicle in question was purchased by, and has been owned by Eric Rogers since well prior to its seizure. Claimant continues to make payments to the lender from which the purchase money was borrowed and presently owes some \$15,000.00 upon said vehicle.

- 2. In August of 2005, claimant entered into an agreement with one Randy Di Carlo by the terms of which the latter would purchase the vehicle by paying claimant the amount owed by claimant to his lender. The agreement was contingent only upon Di Carlo's having the vehicle's mechanical condition checked out by a mechanic, and for this purpose Di Carlo was given possession of the vehicle. Di Carlo did not return the vehicle or pay any portion of the purchase price and the vehicle remains the property of Eric Rogers.
- 3. The claimant is not acquainted with any Jose Cordero, from whom the vehicle was apparently seized by law enforcement officers. Claimant has no idea how the vehicle got from the possession of Di Carlo to any other person and was unaware of, and never consented to, the vehicle's being given to any other person. Claimant had no knowledge of any intended use of his vehicle for any illegal purpose and gave no consent, express or implied, to its so being used, nor even to the vehicle's being taken out of the State of Massachusetts.

By reason of the foregoing Eric Rogers asserts his claim of ownership and right of possession of said vehicle, objects to its forfeiture, and requests that the vehicle be restored to him.

ERIC ROGERS, Claimant

Arthur R. Langvardt #1/2390

LANGVARDT & VÄLLE, P.C.

622 Eastside Boulevard Hastings, NE 68901

Telephone 402-463-9819

His Attorney

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STATE OF MASSACHUSETS)
) ss:
COUNTY OF SUFFOLK)

COMES NOW Eric Rogers, being first duly sworn upon oath, and states that the allegations contained within the foregoing Answer and Claim, relating to a 2001 GMC Yukon, VIN 1GKEK13T01J138777, seized on August 16, 2005, are true and correct, hereby so declaring under penalty of perjury.

Circ D Koges
Eric Rogers

SUBSCRIBED and sworn to before me this _____ day of June, 2006.

Notary Public

Brandon Lea Keitner
Notary Public
Commonwealth of Mossochusetts
My Commission Expires
March 5, 2010

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer and Claim of Eric Rogers was served upon Nancy A. Svoboda, Assistant U.S. Attorney, by mailing to her at 1620 Dodge Street, Suite 1400, Omaha, Nebraska 68102-1506, by first class United States mail, postage prepaid, this 1st day of June, 2006.

Arthur R. Langvardt